

Law Offices

1500 K Street, N.W.

Suite 1100

Washington, DC

20005-1209

202-842-8800

202-842-8465 fax

www.drinkerbiddle.com

PHILADELPHIA

NEW YORK

LOS ANGELES

SAN FRANCISCO

CHICAGO

PRINCETON

FLORHAM PARK

BERWYN

WILMINGTON

July 6, 2006

**Via ECFS and Electronic Mail**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, SW  
Washington, DC 20554


Re: Request for Extension of Time to Construct Full-Power DTV Facilities and  
Continuing Special Temporary Authority and Request for Confidential  
Treatment, MB Docket 03-15

Dear Ms. Dortch:

Transmitted herewith, on behalf of Nexstar Broadcasting, Inc. ("Nexstar"), is a request for extension of time to construct full-power digital facilities for the television stations listed on Attachment 1 to the letter attached hereto. Nexstar's request contains proprietary information regarding its various contracts as well as detailed financial information regarding the cost of its DTV build-out. Nexstar is a publicly-traded company and, although general financial and DTV-related information is available in its Securities and Exchange Commission filings, the specifics of its DTV plans are not included. Accordingly, pursuant to Section 0.459 of the Commission's rules, Nexstar hereby requests that the Commission keep confidential the attached, unredacted copy of its request for extension of time to construct full-power DTV facilities for its stations and that it not be made available to the general public. (A redacted copy, removing the sensitive financial information, has been submitted into ECFS.)

Please address any questions concerning this request, and all correspondence related to the matter, to Elizabeth Hammond of this firm at (202) 842-8843 or to the undersigned.

Very truly yours,

  
Howard M. Liberman

cc: Shaun Maher (Video Services Division)

June 30, 2006

**Via ECFS and Electronic Mail**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, SW  
Washington, DC 20554

Re: Request for Extension of Time to Construct Full-Power DTV Facilities and  
Continuing Special Temporary Authority and Request for Confidential Treatment,  
MB Docket 03-15

Dear Ms. Dortch:

Nexstar Broadcasting, Inc. ("Nexstar"), the licensee of the television stations listed on Attachment 1 hereto, hereby requests an extension of the July 1, 2006 replication/maximization interference protection deadline to construct full-power digital facilities for these stations.

On August 4, 2004, the Commission established July 1, 2006 as the deadline by which digital television stations are required to increase their power levels to replicate their analog facilities (or maximize digital operations), or else lose their interference protection for the unserved areas. *Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, 19 FCC Rcd 18279, para. 78. However, the Commission further stated that it was "adopting a waiver process for stations that truly cannot afford to build out these minimum requirements, or that cannot build out for other reasons beyond their control." *Id.* at para. 83. *See also Public Notice DA-06-1255* (rel. June 14, 2006).

Nexstar is the licensee of 29 full-power television stations, operating in DMAs 53-201. Prior to July 1, 2005, Nexstar requested an extension of the July 1, 2005 replication/maximization construction deadline for its top-four affiliated stations in the top 100 markets. Nexstar subsequently has initiated full-power DTV broadcasts (and has submitted applications for license) for three of its top-four/top-100 stations: WBRE-DT, WROC-DT and KARK-DT. In addition, Nexstar is broadcasting low-power DTV signals for 25 of its remaining stations. The only station for which Nexstar has not yet initiated any DTV broadcast is KNWA-TV, a satellite station, for which Nexstar has pending a request for extension of time to construct digital facilities. However, Nexstar anticipates completing construction of full-power digital facilities for KNWA-TV (DMA #108) by September 1, 2006.

As Nexstar stated in its 2005 waiver request, in November 2004, Nexstar retained AZCAR and Morrison Hershfield (collectively "AZCAR") to survey Nexstar's towers, review its low-power DTV operations and full-power construction permits, and develop a master plan to

**Nexstar Broadcasting Group, Inc.**

convert all of Nexstar's stations to full-power digital operations. AZCAR presented its initial report in March 2005. AZCAR determined that all of Nexstar's tower structures are out-dated and require either strengthening or replacement. AZCAR estimated that the cost of these tower repairs/replacements will be approximately \$\_\_\_\_\_ of which approximately \$\_\_\_\_\_ is attributed to Nexstar's remaining 26 stations which have not yet commenced full-power DTV operations. Attached hereto as Attachment 2 is a letter from Morrison Hershfield Corporation providing detailed information with respect to the required upgrades and/or repairs to each of Nexstar's towers, which includes a tentative schedule for completing such actions.

Based on AZCAR's proposed construction plan, Nexstar has executed contracts with Acrodyne and Thales Broadcast & Multimedia for transmitters, Dielectric for antennas and transmission line, and with Micro Communications, Inc. for RF systems. When Nexstar is ready to construct the full-power facilities for its stations it will execute contracts, on a station-by-station basis, for the needed repairs and upgrades for its towers.

AZCAR's analysis also estimated that the equipment necessary to initiate full-power broadcasting for all 29 stations (including antennas, transmitters, encoders, transmission line and non-tower site upgrades) will cost approximately \$. AZCAR further estimated that Nexstar will have to spend approximately \$3,500,000 in engineering and consulting fees to bring all stations to full-power digital operation. Based on AZCAR's analysis, Nexstar believes it will cost approximately \$48,000,000, (including tower upgrade costs) to convert all of its stations, including WBRE-DT, WROC-DT and KARK-DT, to full-power digital operations. To date, Nexstar has spent approximately \$3,380,000 to construct the full-power DTV facilities for WBRE-DT, WROC-DT and KARK-DT plus an additional approximately \$4,600,000 on construction of its remaining stations.

Nexstar is committed to constructing full-power digital operations for its stations as expeditiously as possible. However, Nexstar's financial situation does not allow it to undertake such a large expenditure in any given year. As of March 31, 2006, Nexstar had approximately \$472,662,000 in outstanding debt. Nexstar is not in a position to incur additional debt under its loan agreement or through the issuance of bonds for capital expenditures in the amount required to complete full-power DTV facilities for its remaining stations. Therefore, Nexstar is funding its full-power DTV conversion from its available working cash-flow.

In order to meet its other payment obligations (including payroll, programming and debt service costs) from its available cash flow, Nexstar has developed a timetable for conversion of its stations to full-power operations based on its overall projected cash-flow and expenses. While there are variables beyond Nexstar's control, such as weather delays and manufacturers' scheduling conflicts, Nexstar anticipates that it will be able to initiate full-power digital operations for on the schedule set forth in Attachment A.

Federal Communications Commission

June 30, 2006

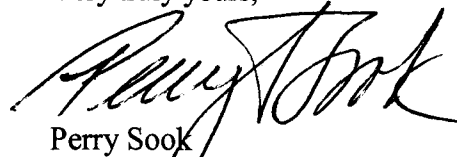
Page 4

Based on the foregoing, Nexstar submits there is good cause for continuing waiver of the July 1, 2005 deadline for its applicable stations and for waiver of the July 1, 2006 replication/maximization deadline with respect to its remaining stations. Such action is in the public interest as it will allow Nexstar to provide the public with digital services prior to the February 2009 transition date. Nexstar also requests a further extension of special temporary authority to continue operating the stations listed in Attachment 1 with the facilities specified in their requests for special temporary authority until such time as the stations' full-power DTV facilities are constructed.

In accordance with Public Notice DA 06-1255, Nexstar is submitting an application of Form 337 for extension of construction permit for each of the stations listed in Attachment 1.

Please address any questions concerning this request for extension of time to Nexstar's counsel, Howard Liberman or Elizabeth Hammond of Drinker Biddle & Reath LLP, at (202) 842-8800.

Very truly yours,



Perry Sook  
Chief Executive Officer

cc: Shaun Maher (Video Services Division)

## ATTACHMENT 1

<u>Station</u>	<u>DTV Construction Permit</u>	<u>DTV STA</u>	<u>Anticipated Construction Date</u>
KNWA-DT	BMPCDT-20040803ABU	N/A	August 2006
WMBD-DT	BMPCDT-20060314ABP	BEDSTA-20051114AON	September 2006
KFTA-DT	BPCDT-19991028AEE	BEDSTA-20060403CED	September 2006
WCIA-DT	BMPCDT-20050701ACC	BEDSTA-20050609ACS	September 2006
KTAL-DT	BMPCDT-20050701ACD	BEDSTA-20050627ADP	December 2006
KSFX-DT	BMPCDT-20030107AAN	BEDSTA-20050609ADE	December 2006
WTVW-DT	BPCDT-19991101ACY	BEDSTA-20050609ADB	December 2006
KTAB-DT	BPCDT-19991104AAU	BEDSTA-20060403CEC	February 2007
WQRF-DT	BPCDT-19991028AIK	BDSTA-20050720AFI <sup>1</sup>	February 2007
WFXV-DT	BPCDT-19991028AIE	BEDSTA-20051114AOG	August 2007
KLBK-DT	BPCDT-19991029AHW	BEDSTA-20051114AOS	August 2007
KAMR-DT	BPCDT-19991028AIL	BEDSTA-20051114AOR	August 2007
KSNF-DT	BMPCDT-20000501ABS	BEDSTA-20051114AOF	August 2008
WTWO-DT	BMPCDT-20040312ADU	BEDSTA-20051114AOP	August 2008
WJET-DT	BMPCDT-20040802BDC	BEDSTA-20051114AOM	October 2008
WFFT-DT	BPCDT-19991029ADC	BEDSTA-20060215AEA	October 2008
WDHN-DT	BMPCDT-20040803AAT	BEDSTA-20051114AOK	October 2008
KSVI-DT	BPCDT-19991029ACI	BEDSTA-20060215AEB	October 2008
WCFN-DT	BPCDT-19991026ABC	BEDSTA-20051223ACG	October 2008
KFDX-DT	BMPCDT-20040312ADT	BEDSTA-20051114AOQ	October 2008
KLST-DT	BPCDT-19991015ABB	BEDSTA-20051114AOO	October 2008
KARD-DT	BPCDT-19991101ADC	BEDSTA-20060215ADE	December 2008
KQTV-DT	BMPCDT-20040312ADV	BEDSTA-20051114AOL	December 2008
KBTB-DT	BMPCDT-20040312ADS	BEDSTA-20060403CEF	December 2008
KMID-DT	BPCDT-19991029ADE	BEDSTA-20060403CEE	December 2008
WHAG-DT	BMPCDT-20021203ACX	BEDSTA-20050627ADQ	December 2008

<sup>1</sup> This grant of special temporary authority expired on February 5, 2006. Nexstar inadvertently did not submit a request for extension of STA, but hereby requests such extension pursuant to this letter.



June 29, 2006

Mr. Rick Stolpe  
Nexstar Broadcasting, Inc.  
62 South Franklin Street  
Wilkes-Barre, PA 18701

Re: Tower Upgrades

Dear Rick:

As part of our comprehensive analysis for Nexstar's full-power DTV television build-out we have determined that a number of your stations' antenna structures require strengthening or replacement prior to the installation of the equipment necessary for full-power DTV operations. Below is a summary of the current status of Nexstar's antenna structures, which are in need of repair before installing additional DTV equipment, a description of the work, required and an estimate of the time required to make the required repairs once work is begun.

Fayetteville (KNTA) – This tower is moderately overstressed for the DTV antenna installation. The tower will require addition of mid-panel horizontal bracing from 112 to 160 ft above grade, reinforcement of select existing diagonal members from base to 500 ft above grade, re-tensioning of all guy wires and reinforcement of the guy anchor foundations. We anticipate the total duration of engineering, material fabrication and construction to take approximately four months.

Fayetteville (KFTA) – This tower is slightly overstressed for the DTV antenna installation. The tower will require addition of new guy anchors at a radius of 230 ft, and the replacement of the top set of guy wires. We anticipate the total duration of engineering, material fabrication and construction to take approximately four months.

Springfield (WCIA) – This tower is significantly overstressed for the DTV antenna installation. The tower will require addition of mid-panel horizontal bracing, additional diagonal bracing, and leg reinforcement over several sections of the full tower height. In addition, the tower will require re-tensioning of all guy wires and reinforcement of the guy anchor foundations. We anticipate the total duration of engineering, material fabrication and construction to take approximately eight months.

Texarkana (KTAL) – This tower is significantly overstressed for the DTV antenna installation. The tower will require addition of several sections of leg bracing, replacement of diagonal bracing and reinforcement of horizontal bracing at several sections along the entire tower height. In addition, re-tensioning of all guy wires and reinforcement of the outer set of

guy anchor foundations is required. We anticipate the total duration of engineering, material fabrication and construction to take approximately four months.

Springfield (KSFX) – The equipment for the DTV operations for KSFX are being combined on a tower owned by Mission Broadcasting. This tower is moderately overstressed for the DTV antenna installation. The tower will require addition of mid-panel bracing from 15 to 44 ft above grade, 254 to 284 ft above grade and from 704 to 711 ft above grade. In addition, re-tensioning of all guy wires will be required as well. We anticipate the total duration of engineering, material fabrication and construction to take approximately six months.

Evansville (WTVW) - This tower is slightly overstressed for the DTV antenna installation. The tower will require ten bays of mid-panel bracing and the replacement of the top guy level. We anticipate the total duration of engineering, material fabrication and construction to take approximately four months.

Peoria (WMBD) – This tower is moderately overstressed for the DTV antenna installation. The tower will require addition of mid-panel bracing from 350 to 380 ft above grade, reinforcement of all guy anchors and re-tensioning of all guy wires. We anticipate the total duration of engineering, material fabrication and construction to take approximately five months.

Erie (WJET) – This tower is moderately overstressed for the DTV antenna installation. The tower will require replacement of top guy levels 5 and 6, addition of mid-panel bracing for twenty panels, replacement of fifteen bays of diagonals and replacement of eight levels of horizontals. We anticipate the total duration of engineering, material fabrication and construction to take approximately six months.

Springfield (WCFN) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will have to be replaced with a new tower structure. We anticipate the total duration of engineering, material fabrication and construction to take approximately twelve months.

Abilene (KTAB) – This tower is moderately overstressed for the DTV antenna installations. The tower will require new torsion resistors and new guy wires at 160 ft and 460 ft above grade. In addition, mid-panel bracing will be required between 60 and 80 ft above grade. We anticipate the total duration of engineering, material fabrication and construction to take approximately six months.

Rockford (WQRF) – This tower is moderately overstressed for the DTV antenna installations. The tower will require reinforcement of the leg members from 460 to 560 ft above grade and modifications to the tower and guy anchor foundations. We anticipate the total duration of engineering, material fabrication and construction to take approximately six months.



Lubbock (KLBK) – This tower is moderately overstressed for the DTV antenna installations. The tower will require bracing of the leg members over four levels, reinforcement of two levels of horizontal struts and re-tensioning of all guy wires. We anticipate the total duration of engineering, material fabrication and construction to take approximately five months.

Amarillo (KAMR) – This tower is moderately overstressed for the DTV antenna installation. The tower will require mid-panel bracing over four panels, thirteen levels of diagonal replacement, six levels of strut replacement and re-tensioning of all guy wires. In addition, the guy anchor foundation will also need to be modified. We anticipate the total duration of engineering, material fabrication and construction to take approximately eight months.

Utica (WFXV) – This tower is moderately overstressed for the DTV antenna installation. The tower will require ten bays of leg bracing, four bays of diagonal replacement and one level of guy replacement. We anticipate the total duration of engineering, material fabrication and construction to take approximately six months.

Joplin (KSNF) – This tower is significantly overstressed for the DTV antenna installation. The tower will require forty-seven bays of leg bracing and four levels of guy replacement. We anticipate the total duration of engineering, material fabrication and construction to take approximately eight months.

Terre Haute (WTWO) – The equipment for the DTV operations for WTWO are being combined on a tower owned by Mission Broadcasting. This tower is moderately overstressed for the DTV antenna installations. The tower will require thirty bays of leg bracing, four bays of diagonal replacement and three levels of guy wire replacement. We anticipate the total duration of engineering, material fabrication and construction to take approximately six months.

Wichita Falls (KFDX) – This tower is significantly overstressed for the DTV antenna installation. The tower will require three new guy anchors, guy wire replacements at 441 ft, 681 ft and 941 ft above grade, leg reinforcement from base to 101 ft above grade and from 771 to 927 ft above grade, mid-panel bracing at select locations from base to 945 ft above grade, new diagonal bracing at select locations along the tower height and re-tensioning of all guy wires. We anticipate the total duration of engineering, material fabrication and construction to take approximately eight months.

San Angelo (KLST) – This tower is moderately overstressed for the DTV antenna installation. The tower will require thirteen bays of leg bracing and reinforcement of select member connections over the full tower height. We anticipate the total duration of engineering, material fabrication and construction to take approximately five months.

Monroe (KARD) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will





have to be replaced with a new tower structure. We anticipate the total duration of engineering, material fabrication and construction to take approximately sixteen months.

Hagerstown (WHAG) – This tower is moderately overstressed for the DTV antenna installation. The tower will require seven bays of leg bracing and reinforcement of select member connections over the full tower height. In addition, the guy anchor foundation will also need to be modified. We anticipate the total duration of engineering, material fabrication and construction to take approximately five months.

St. Joseph (KQTV) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will have to be replaced with a new tower structure. We anticipate the total duration of engineering, material fabrication and construction to take approximately 12 months.

Beaumont (KBTW) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will have to be replaced with a new tower structure. We anticipate the total duration of engineering, material fabrication and construction to take approximately twelve months.

Billings (KSVI) – This tower is moderately overstressed for the DTV antenna installation. The tower will require ten bays of leg bracing and reinforcement of select member connections over the full tower height. We anticipate the total duration of engineering, material fabrication and construction to take approximately five months.

Midland (KMID) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will have to be replaced with a new tower structure. We anticipate the total duration of engineering, material fabrication and construction to take approximately twelve months.

Fort Wayne (WFFT) – This tower is moderately overstressed for the DTV antenna installation. The tower will require ten bays of leg bracing and reinforcement of select member connections over the full tower height. We anticipate the total duration of engineering, material fabrication and construction to take approximately five months.

Dothan (WHDN) – This tower is moderately overstressed for the DTV antenna installations. The tower will require twenty-five bays of leg bracing, nine bays of diagonal replacement and reinforcement of select member connections along the tower height. We anticipate the total duration of engineering, material fabrication and construction to take approximately seven months.

The engineering, material fabrication and construction for KNWA has been completed and this station will be on air with full power DTV operations by August 2006. Engineering work and material fabrication has commenced for WCIA, KTAL, WMBD, KFTA, KSFX, and WTVW. WCIA, WMBD and KFTA are expected to be on air with full power DTV operations by September 2006. KTAL, KSFX and WTVW are expected to be on air with full power DTV operations by December 2006.



Engineering work has commenced for KTAB and WQRF and these stations are expected to be on air with full power DTV operations by February 2007. Engineering work for WFXV, KLBK, KAMR, WJET, WCFN has commenced this year. The stations WFXV, KLBK and KAMR are expected to be on air with full power DTV operations by August 2007. The stations WJET and WCFN are expected to on air with full power DTV operations by October 2008 and December 2008 respectively.

Engineering work for KSNF, WTWO, KFDX, KLST, KARD, WHAG and KQTV will commence in January 2007. KSNF and WTWO are expected to be on air with full power DTV operations by August 2008. KFDX and KLST are expected to be on air with full power DTV operations by October 2008. KARD, WHAG and KQTV to be on air with full power DTV operations by December 2008.

Engineering work for the remaining stations; KBTB, KMID, KSVI, WFFT and WDHN will commence in January 2008. KSVI, WFFT and WDHN are expected to be on air with full power DTV operations by October 2008. KBTB and KMID are expected to be on air with full power DTV operations by December 2008.

The anticipated time periods are based on our experience with similar scope of work carried out on overstressed towers. This is subject to change depending on material and crew availability as well as unforeseen weather related delays.

Sincerely,



Shylesh Moras  
Manager, Tower Upgrades  
Morrison Hershfield Corporation  
770-379-8509 (tel)  
770-379-8501 (fax)

